

performing an etching process [while] using the mask as a reference.

3. (Amended) A method of manufacturing a two-dimensional phase type element[, ] comprising the steps of:  
forming[, on a substrate,] a first etching mask in a checkered pattern on a substrate;  
forming segments of multiple levels at a portion not covered by the first etching mask;  
forming a second etching mask corresponding to an inversion of the first etching mask;  
removing the first etching mask; and  
forming segments of multiple levels at a portion not covered by the second etching mask.

4. (Amended) A method according to Claim 2 or 3, wherein the first etching mask [is formed by a] consists of chromium [film].

6. (Amended) A method according to Claim [2 or] 3, wherein the first etching mask consists of aluminum and wherein the second etching mask consists of chromium.

7. (Amended) A method according to Claim [2 or] 3, wherein the first etching mask consists of chromium and wherein the second etching mask consists of aluminum.

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SUB 32 8. (Amended) A method according to [any one of Claims 2-7] Claim 2 or 3, wherein the substrate contains quartz.

9. (Amended) A method according to [any one of Claims 2-8] Claim 2 or 3, wherein a reticle having an optical proximity effect correcting pattern is used to form the etching mask [of] having a checkered pattern through photolithography.

10. (Amended) A method according to [any one of Claims 2-9] Claim 2 or 3, wherein the etching process is carried out by use of the etching mask and an etching mask formed by a resist.

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11. (Amended) A method according to [any one of Claims 2-10] Claim 2 or 3, further comprising the step of:  
molding an element while using, as a mold, a substrate on which plural segments of multiple levels are formed.

SUB 33 12. (Amended) A method according to [any one of Claims 2-11] Claim 2 or 3, wherein the method is usable to produce one of a phase type computer generated hologram, a two-dimensional binary structure, and a phase modulation plate.

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